

MINUTES

City of Carrollton Mayor and Council Meeting

September 10, 2007

6:00 p.m.

Public Safety Complex, Court/Council Chambers, 115 West Center Street, Carrollton, Georgia

I. CALL TO ORDER

The Mayor and City Council met in regular session on September 10, 2007 in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Wayne Garner called the meeting to order at 6:00 p.m. Members present: Councilmember Peter Balega, Councilmember Gerald Byrd, and Councilmember Rusty Gray. Members absent: Councilmember Mandy Maierhofer.

II. INVOCATION

Councilmember Byrd offered the invocation.

At this time Mayor Garner deviated from the agenda as follows:

* IV. MINUTES (August 6, 2007)

Motion by Councilmember Gray, seconded by Councilmember Byrd to approve the Minutes of the August 6, 2007 meeting of the Mayor and Council. Motion passed (4-0, Councilmember Maierhofer absent).

* V. ITEMS OF DISCUSSION

1. Rezoning Request: Rezoning from R-20 to C-2

Property Location: 1245 North Park Street

Petitioner: Hugh D. Johnson

PZA Studdard presented for consideration a request from petitioner Hugh D. Johnson for property located at 1245 North Park Street to be rezoned from R-20 to C-2 (Neighborhood & Highway Service Business District). PZA Studdard noted that the Planning Commission had unanimously recommended approval of the rezoning request. Mayor Garner opened the public hearing to receive citizen comments on the matter. Those speaking in favor: None. Those speaking opposed: None. Mayor Garner inquired to the desire of the Council on the matter. **Motion by Councilmember Gray, seconded by Councilmember Byrd to accept the Planning Commission's recommendation and rezone the property located at 1245 North Park from R-20 to C-2 (Neighborhood & Highway Service Business District) Motion passed, (4-0, Councilmember Maierhofer absent).**

III. CITIZEN COMMENTS

Ms. Annie Boykin expressed appreciation for the assistance with the repairs to her vehicle after hitting a City curb. Ms. Boykin also spoke of concerns regarding the vandalism at the Carrollton Head Start Center on Maple Street.

Mr. James Shockley, 200 Shady Valley Drive, Carrollton requested the support of the Mayor and Council in his efforts to promote Little League to the Carrollton Recreation Commission. Mr. Shockley shared the benefits of the Little League program. Mayor Garner suggested Mr. Shockley gain support from others in the community and go back to the Recreation Commission and present the item.

Emily Drake, 805 Birkdale Blvd, expressed concerns about the safety of children and pedestrians on Birkdale Blvd. Ms. Drake presented a petition from property owners that stated they were in favor of exploring speed reduction devices.

J.T. Wright, 706 Birkdale Blvd, expressed his concerns about the speeders on Birkdale Blvd. Mr. Wright expressed appreciation to the Police Department for their efforts, but stated that speeding is still a problem and requested additional help.

Daphne Burden of the University of West Georgia Student Government Association introduced herself and stated that the purpose of the Student Government Association was to work with the local governments and the University on issues/problems that may arise. Mayor Garner expressed his appreciation to Ms. Burden.

At this time the Mayor and Council recognized 8-year-old Kobe Hill. Kobe found \$81.00 at Wal-Mart in Carrollton and turned it in to the store. Mayor Garner commended Kobe for his honesty and awarded him with a \$100.00 check and a new bicycle. Police Chief Joel Richards presented Kobe with The Good Samaritan Award from the Carrollton Police Department. This is a classic example that "honesty pays".

At this time Mayor Garner returned to original order of Agenda Items.

V. ITEMS OF DISCUSSION

2. Rezoning Request: Rezoning from R-15 to C-2

Property Location: 602, 606, 612, 620 Alabama Street and 109 Watson Street

Petitioner: Pirigy & Sons, L.L.C. and Ron Price

PZA Studdard presented for consideration a request from petitioner Pirigy & Sons, L.L.C. and Ron Price for property located at 602, 606, 612, 620 Alabama St. and 109 Watson Street to be rezoned from R-15 to C-2 (Neighborhood & Highway Service Business District). PZA Studdard noted that the Planning Commission had unanimously recommended approval of the rezoning request. Mayor Garner opened the public hearing to receive citizen comments on the matter. Those speaking in favor: Mr. Ron Price requested the Council approve the rezoning. Those speaking opposed: None. Mayor Garner inquired to the desire of the Council on the matter. **Motion by Councilmember Byrd, seconded by Councilmember Gray to accept the Planning Commission's recommendation and rezone the property located at 602, 606, 612, 620 Alabama Street and 109 Watson Street to be rezoned from R-15 to C-2 (Neighborhood & Highway Service Business District). Motion passed, (4-0, Councilmember Maierhofer absent).**

3. Rezoning Request: Rezoning from C-2 to R-3

Property Location: 502 Burson Avenue

Petitioner: Renata Borges McDonald

PZA Studdard presented for consideration a request from petitioner Renata Borges McDonald for property located at 502 Burson Avenue to be rezoned from C-2 to R-3. PZA Studdard noted that the Planning Commission had unanimously recommended approval of the rezoning request. Mayor Garner opened the public hearing to receive citizen comments on the matter. Those speaking in favor: None. Those speaking opposed: None. Mayor Garner inquired to the desire of the Council on the matter. **Motion by Councilmember Gray, seconded by Councilmember Byrd to accept the Planning Commission's recommendation and rezone the property located at 502 Burson Avenue to be rezoned from C-2 to R-3. Motion passed, (4-0, Councilmember Maierhofer absent).**

4.

City Manager Coleman presented Resolution 09-2007 for adoption of the (UDO) Unified Development Ordinance. Planning and Zoning Administrator Studdard shared the revised zoning map. CM Coleman commended PZA Studdard and staff for their excellent work on this project. CM Coleman explained that the Resolution, once adopted would create the Unified Development Ordinance, the new City of Carrollton Zoning Map and repeal certain portions of the Code of Ordinances. Being no further discussion, **Motion by Councilmember Balega, seconded by Councilmember Gray to adopt Resolution 09-2007 – Unified Development Ordinance and Revised Zoning Map. Motion passed, (4-0, Councilmember Maierhofer absent).**

5. Traffic Calming Program

CM Coleman presented for future consideration a policy to address and assist citizens regarding traffic problems in residential areas. CM Coleman reported that he had studied other type programs and believes that this document would give direction and guidance regarding the installation of traffic calming devices and a resolution process for other traffic problems. The Mayor and Council briefly discussed traffic humps and traffic bumps as a method of controlling speed. Ms. Emily Drake, 805 Birkdale Blvd, again expressed concerns about the safety of children and pedestrians on Birkdale Blvd. Ms. Drake stated that 90% of the homeowners in the area were in

favor of a speed hump or bump device. J.T. Wright, also a resident of Birkdale Blvd, expressed his appreciation to Ms. Drake and efforts she had made regarding concerns about the speeders on Birkdale Blvd. Mr. Wright expressed appreciation to the Police Department for their efforts, but stated that speeding is still a problem and requested additional help. Mr. Wright also noted that the Oak Mountain Homeowners Association had not yet endorsed a speed-calming device. Mayor Garner suggested that once the association had developed a position on the matter, to bring the issue to the City Engineer and City Manager to be addressed by standards as outlined of the policy

6. Resolution 08 – 2007 - Intermodal Transportation Study Grant

City Manager Coleman presented for consideration Resolution 08 – 2007 - Intermodal Transportation Study Grant. The resolution approves the City's request for funding for a feasibility study of Interpositional Transportation. The City is requesting financial assistance from the Georgia Department of Transportation to conduct said study in the amount of sixty-thousand dollars (\$60,000), of which forty-eight thousand (\$48,000) will be funded with Federal Transportation Administration monies; six-thousand (\$6,000) to be funded through the Georgia Department of Transportation; and six- thousand dollars (\$6,000) to be funded by the City. There being no further discussion, **Motion by Councilmember Byrd, seconded by Councilmember Gray to adopt Resolution 08 – 2007 - Interpositional Transportation Study Grant. Motion passed, (4-0, Councilmember Maierhofer absent).**

7. Water Plant Modifications – Membrane Package

Assistant City Manager Grizzard reported that included in the capital improvement plan for the City's water and sewer systems is \$9.425 million dollars, dedicated to the Water Treatment Plant for the following enhancements: the membrane system, the electrical upgrades, the instrumentation upgrades, and enhancements to the building. The instrumentation upgrades are needed to replace all of the existing filter valves and associated controls. The electrical upgrades are needed because the existing transformers that feed the plant were manufactured in 1941 and are an odd voltage, which makes them difficult to replace in an emergency. Therefore, the existing 2300-volt system needs to be changed to the more common 480-volt system.

ACM Grizzard pointed out that the City awarded the bid for the membrane package itself to Xenon of Oakville, Ontario Canada in the amount of \$2.25 million. Earlier this summer, the City solicited bids for the installation of the membrane package as well as the other upgrades of the plant, including the electrical upgrades and the instrumentation upgrades. Due to the nature of the project and the abundance of work available to contractors who perform this type of project, the City received only two bids and the results were as follows:

Heavy Constructors, Inc. of Marietta, GA - \$8,472,000
Crowder Const. Company, Inc. of Apex, NC - \$9,219,000

ACM Grizzard noted that this put the total project cost at \$10.75 million which is unacceptable. Georgia law allows for substantial re-design and negotiation with the low bidder when a public works contract exceeds the budget. City staff and its consultants have therefore worked to redesign the project and lower the cost of the total water plant projects as follows:

The membrane system itself will be relocated to the back of the plant site between the clearwell and the chemical building saving substantial modification to the existing building and eliminating several pumps and much of the controls. The low bidder, Heavy Constructors, Inc., has agreed to allow the City to pay its subcontractors direct for the portions of the project that do not directly affect the membrane work; thus saving the general contractor's profit and markup on these items which is 17%. ACM Grizzard stated due to the circumstances, the City has separated out the instrumentation and controls upgrade of the existing filters, the purchase of the new filter valves, and the electrical service upgrade which changes the plant voltage from 2300 volts to 480 volts. The final negotiated pricing is as follows:

Heavy Constructors, Inc., of Marietta, GA – Membrane Installation - \$3,768,728
West Georgia Electric, Inc., of Carrollton, GA – Electrical Service Upgrade - \$635,898
Turbitrol of Austell, GA – Instrumentation Upgrades - \$682,941

ACM Grizzard reported that in addition, to save the contractor's markup and sales tax, the City will purchase the filter control valves direct. Pricing was obtained as follows:

Temco, Inc. of Lawrenceville, GA – Bray valves with Auma motor operators - \$331,423.00
Kazmir & Associates, Inc. of Alpharetta, GA – ABZ valves with Rotork motor operators - \$276,063.00
Kazmir & Associates, Inc. of Alpharetta, GA – Golden Anderson valves with Rotork operators - \$286,442.00

Process Technology, Inc. of Trussville, AL – ABZ valves with Auma operators - \$293,171.59
ACM Grizzard stated that given that the plant already has Auma operators on its other valves and has no Rotork operators, it is in the best interest of the City to award the valve quote to Process Technology, Inc. in the amount of \$293,171.59. This will result in a consistent brand of motor operator throughout the water treatment plant. It is also the opinion of plant staff that ABZ is the best valve. The final piece of the plant upgrade is the modification of the building itself. This modification is not a required part of the plant process upgrade and will be accomplished under a separate bid. The architects have estimated the total cost of the building upgrades to be \$750,000 including engineering.

ACM Grizzard reported that estimates for the building upgrades, the negotiated bid from Heavy Constructors, Inc., the bids from West Georgia Electric and Turbitrol, the quote for the valves from Process Technology, Inc., the previously awarded cost of the membranes to Xenon plus the total cost of engineering and inspection for the project (which is estimated to be \$900,000), the total project cost for the water plant upgrades is \$9,280,738. This is over \$500,000 under budget.

ACM Grizzard requested that the Mayor and Council make the following awards:

Heavy Constructors, Inc. - \$3,768,728
West Georgia Electric, Inc. - \$635,898
Turbitrol - \$682,941
Process Technologies, Inc. - \$293,171.59

Motion by Councilmember Balega, seconded by Councilmember Gray to approve the bid awards as presented: (Heavy Constructors, Inc. - \$3,768,728; West Georgia Electric, Inc. - \$635,898; Turbitrol - \$682,941; and Process Technologies, Inc. - \$293,171.59) Motion passed. (4-0, Councilmember Maierhofer absent).

8. GEFA Loan for Water Plant and Settling Pond Projects

ACM Grizzard reported that funding to pay for the aforementioned project which is included in the 15-year capital project finance plan, City Management has planned to obtain a GEFA Loan to fund the water plant modifications and to partially fund the purchase of property for the pre-settling pond. CM Coleman noted that he and Finance Director Triplett have found GEFA funding with a better interest rate than initially anticipated and therefore request to proceed and obtain the loan from GEFA to fund these projects in the amount of \$10,000,000 for a period of 20 years. This note will be paid out of the water fund. **Motion by Councilmember Gray, seconded by Councilmember Byrd to approve the City Manager and Finance Director to proceed in obtaining a loan from GEFA to fund the Water Plant and Settling Pond Projects. Motion passed. (4-0, Councilmember Maierhofer absent).**

At this time Mayor Garner recognized administrator (Mr. Jerome Henson) from HeadStart and expressed his apologies and concerns over the recent vandalism to their facility. Mr. Henson thanked everyone, including the Police Chief and Police Officers for their support and professionalism in conducting the discovery and investigation of the vandalism. Mayor Garner inquired if there was anything the City could do to help at this time. Mr. Henson reported that currently the management at HeadStart was accessing the issue to determine the best approach. Mr. Henson stated that they hoped to learn of what support would be needed within the next 24 to 48 hours, once the assessment is complete. Mayor Garner again offered support when HeadStart is in the position to receive it.

9. Resolution 07-2007 – Increase in number of Recreation

**Commission Members from Seven (7) to Nine (9)
Appointment (1) - Recreation Commission**

CM Coleman announced before presenting the next agenda item that the 07-2007 Resolution is to increase the number of Recreation Commission Member from **seven (7) to nine (9)** not from Seven (7) to Eight (8) as outlined in the Resolution and correspondence supporting the document. CM Coleman

stated with Council's approval the Resolution would be amended to reflect this change. The purpose of the change would keep the commission membership at an odd number, which will not cause a conflict for voting purposes. **Motion by Councilmember Garner, seconded by Councilmember Gray to adopt Resolution 07-2007; Increasing the number of Recreation Commission Members from seven (7) to nine (9) and appoint Mr. Harvey Copeland and Gordon Chandler to the Recreation Commission. Motion passed, (4-0, Councilmember Maierhofer absent).**

10. Reappointment (1)

Carrollton Area Convention and Visitors Bureau

Motion by Councilmember Gray, seconded by Councilmember Byrd to re-appoint Ms. Patricia Brown (new term expiring June 30, 2010) to the Carrollton Area Convention and Visitors Bureau. Motion passed, (4-0, Councilmember Maierhofer absent).

VI. MAYOR AND COUNCIL ANNOUNCEMENTS

Councilmember Byrd: Expressed concern about litter, specifically cigarette butts and gum in the downtown area on the sidewalks. CM Byrd also requested more seating downtown and apologized for missing the last Council meeting. CM Coleman reported that he would ask the MainStreet Director to look into the issues downtown.

Councilmember Balega: Expressed appreciation to MainStreet Director Ginny Chandler and the Main Street Board for their efforts and success in a "Taste of Carrollton" held last week. Councilmember Balega also inquired if the City had ever borrowed money to meet payroll. CM Coleman answered that he believed during the tax re-evaluations and assessments in the early 90's the City had borrowed to meet payroll needs and the funds were paid back once the re-evaluation process had been resolved.

Mayor Garner: Announced that Councilmember Maierhofer expressed her apologies for not being in attendance at the meeting, but she did want it known that she was in full support of the membrane project.

VII. CITY MANAGER ANNOUNCEMENTS

City Manager Coleman requested that the Mayor and Council sign the Zoning Map just adopted.

VIII. ADJOURN

There being no further business to address, the meeting adjourned at 7:20 p.m.